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## Minutes of the Commission Meeting Held on February 21, 2019 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

### IN ATTENDANCE

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Commissioners: (P= Present; A= Appointed; E= Elected)

P Gail Barmakian (A-Oak Bluffs)	- Michael Kim (A-Governor; non-voting)
P Trip Barnes (E-Tisbury)	P Joan Malkin (A-Chilmark)
P Leon Brathwaite (A-County)	- Katherine Newman (A-Aquinnah)
P Christina Brown (E-Edgartown)	P Ben Robinson (A-Tisbury)
- Peter Connell (A-Governor; non-voting)	P Doug Sederholm (E-West Tisbury)
- Robert Doyle (E-Chilmark)	- Linda Sibley (E-West Tisbury)
P Josh Goldstein (E-Tisbury)	P Ernie Thomas (A-West Tisbury)
P Fred Hancock (E-Oak Bluffs)	P Richard Toole (E-Oak Bluffs)
P James Joyce (A-Edgartown)	P James Vercruysse (E-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Sheri Caseau (Water Resources Planner), Christine Flynn (Economic Development and Affordable Housing Planner), Mike Mauro (Senior Transportation Planner), Jo-Ann Taylor (Coastal Planner, DCPC Coordinator), Dan Doyle (Regional Planner).

**Chairman Doug Sederholm** called the meeting to order at 7:00 p.m.

### 1. NEW BUSINESS

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Commissioners Present: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse.

#### 1.1 Executive Director's Report

**Adam Turner** presented the following:

- The Citizen Planner Training Collaborative 2019 Annual Conference will be held on March 16th in Worcester. Information regarding the conference can be found on the MVC website.
- We are looking at two studies; the cost of community services and how to assess non-profits.
- On March 4, 2019 there will be a meeting on the short term rental bill with the DEP at the MVC offices at 12:30 p.m. The water protection fund will be discussed, as well as questions regarding the legislation. The meeting is primarily for the Towns and local officials.

#### 1.2 Reports from Committees and/or Staff

**Joan Malkin** said that Julian Cyr and Dylan Fernandes will also be holding a meet and greet/question meeting from 5:00 p.m. to 6:30 p.m. on March 4, 2019 at the Katherine Cornell Theater.

**Fred Hancock** said the Affordable Housing Policy Revision Committee has distributed the draft of the updated Affordable Housing Policy for comment to the Planning Boards, ZBAs, Selectmen, affordable housing groups, the Commissioners, and others. On March 20, 2019 at 5:30 p.m. there will be a listening session and comments can be submitted in advance to Christine Flynn or Lucy Morrison. The goal is to

hear from the community, and then the committee will regroup to make revisions if necessary, and then present the final draft of the policy to the Commission.

## **2. VTA SOLAR - EDGARTOWN DRI 524-M4 MODIFICATION REVIEW**

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*James Vercruysse recused himself as he is an employee of South Mountain who designed the system for the VTA.*

*Eligible Commissioners: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, E. Thomas, R. Toole.*

*For the Applicant: Angie Grant*

### **2.1 Staff Report**

**Paul Foley** presented the following:

- The solar plan was reviewed.
- Parking will be underneath the canopies.
- There will be two different types of canopies.
- Currently the VTA has six electric buses and there are six more coming.
- They plan to have the entire fleet, 32 buses, all electric in five to six years.

### **2.2 Applicants' Presentation**

**Angie Grant** presented the following:

- The six electric buses have been running since August. There are four 35 foot buses and two 32 foot buses.
- They are running well even in the colder weather.
- This part of the project is to put solar canopies around the perimeter of the VTA lot in the Airport Business Park to generate renewable energy.
- The energy will be stored onsite and at key bus hubs on the Island. This portion of the project includes updating electrical infrastructure, installing solar panels on the roof of the operations and maintenance facility, and building solar canopies over the bus parking lot.
- When fully completed it will generate 30% of the energy needed.
- This plan was selected as it is a non-glare solar option.
- It is a private partnership and there is no taxpayer funding.
- Since running the electric buses, 184 tons of CO<sub>2</sub> have been taken out of the environment.

### **2.3 Commissioners' Questions**

**Christina Brown** asked if this would diminish or affect the amount of parking in the area, especially for the RMV. **Angie Grant** said the RMV parking is not affected; the canopy located along A Street will be for parking.

**Gail Barmakian** asked if there have been any monetary savings on fuel cost. **Angie Grant** said not right now, but over time there will be, and there will be maintenance savings as well.

**Fred Hancock moved and it was duly seconded that the modification does not rise to the level requiring a public hearing. Voice vote. In favor: 12. Opposed: 0. Abstentions: 0. The motion passed.**

**Fred Hancock moved and it was duly seconded to add the modification to DRI 524 and to approve the modification as presented. Roll call vote. In favor: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, E. Thomas, R. Toole. Opposed: none. Abstentions: none. The motion passed.**

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**Doug Sederholm** said he was recently standing on the side of the road when a bus went by it was “so cool” not having the fumes.

**James Vercruysse** rejoined to the meeting.

### **3. CLARION HOTEL – EDGARTOWN DRI 165-M3 MODIFICATION REVIEW**

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*Eligible Commissioners: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse.*

*For the Applicant: Geoghan Coogan, Debra Cedeno*

#### **3.1 Staff Report**

**Paul Foley** presented the following:

- The application has been split into two parts: one for the kitchen and vestibule additions, and another for the parking area. This proposal is to add a small addition to the existing kitchen and a small vestibule to the new entry.
- The improvements asked for are largely those requested by the Board of Health.
- The plan was reviewed.
- The applicant will come back to the MVC for the parking.
- The improvements to the kitchen addition to improve safety include:
  - Improving employee safety and property safety by enclosing the existing stair.
  - Enclosing the existing path to the basement stair that is currently not covered, which creates problems in inclement weather.
  - Reducing the number of trips required for supplies stored in the existing basement by introducing a receiving and storage area on the first floor.
  - Providing a new mop sink in a separate area from the food prep in a conditioned area.

#### **3.2 Applicants' Presentation**

**Debra Cedeno** presented the following:

- The vestibule is to provide a more energy efficient air lock from the bar and dining area.
- The kitchen currently has a vinyl/PVC fence that encloses the back entrance and provides a partially covered bulkhead. In poor weather conditions this is dangerous for the staff.
- The objective is to improve employee safety.
- The improvements are a result of Edgartown Board of Health Agent Matt Poole's recommendations.
- Right now the mop sink is seasonal and located outside, and Matt Poole suggested enclosing that.
- The improvements will create a receiving area for the restaurant and provide better storage on the main floor.
- The requested changes will not increase patron seating or the building footprint.
- The roofline will stay the same on the grill building and incorporate a hip roof to minimize the profile.

**Fred Hancock** said the LUPC recommended that the modification does not require a public hearing.

***Fred Hancock moved and it was duly seconded that the modifications does not rise to the level requiring a public hearing. Voice vote. In favor: 12. Opposed: 0. Abstentions: 0. The motion passed.***

***Christina Brown moved and it was duly seconded to approve the modification to the kitchen and vestibule as presented, and to have the applicant come back to the MVC for the parking. Roll call vote.***

*In favor: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.*

#### **4. VINEYARD WIND - EDGARTOWN DRI 688 – PUBLIC HEARING**

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*Commissioners Present: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse.*

*For the Applicant: Richard Andre, Erik Peckar, Kate McEneaney, Rachel Pachter, Nate Mayo, Holly Carlson Johnson*

**Richard Toole, James Vercruysse, Trip Barnes, Joan Malkin and Fred Hancock** disclosed that they are members of Vineyard Power.

**Richard Toole**, Public Hearing Officer, opened the Public Hearing and read the Public Hearing Notice. The applicant is Vineyard Wind LLC. The location is where the proposed cables would run more or less north-south for 12.4 or 13.7 miles below Edgartown Waters approximately 1.2 miles offshore of Chappaquiddick. The proposal is to install two-220kW export cables underneath the sea floor in two trenches that will pass approximately 1.2 miles offshore of Edgartown, either 12.4 or 13.7 miles through the Edgartown waters stretch installed using hydro-plow or mechanical plow installation methods.

##### **4.1 Staff Report**

**Paul Foley** presented the following:

- The location is the where the proposed cables would run more or less north-south for 12.4 or 13.7 miles below Edgartown Waters approximately 1.2 miles offshore.
- The proposal is to install two-220kW export cables underneath the sea floor in two trenches that will pass approximately 1.2 miles offshore of Edgartown, either 12.4 or 13.7 miles through the Edgartown waters stretch using hydro-plow or mechanical plow installation methods.
- The Vineyard Wind Project is subject to permitting, review and consultations with nearly 30 different agencies at the federal, state, local, tribal and regional levels. Some of these other permits and reviews required include: National Environmental Policy Act Environmental Impact Statement, which is being conducted by the Department of the Interior's Bureau of Ocean Energy Management (BOEM); the Massachusetts Energy Facilities Siting Board; the Massachusetts Environmental Policy Act; the Cape Cod Commission; and the Edgartown Conservation Commission.
- Surrounding land uses are Muskeget Channel, Northern Right Whale Core Habitat and shellfish areas.
- The location of the transmission cable was reviewed on the plan of the cable corridor, and the federal wind lease areas and routes were reviewed.
- The cables are an element of the larger Vineyard Wind project that will transmit energy generated at a wind turbine array proposed on a 160,000 acre lease area in federal waters over 14 miles south of Martha's Vineyard and traverse from the Atlantic Ocean through Muskeget Channel to Nantucket Sound and connect to the electrical grid via a landfall in Barnstable.
- The trench will be less than one meter wide, except where dredging is required.
- In some locations armoring may be required, which entails concrete mattresses laid on top to keep the cable in place where the seafloor is so dynamic that the cable requires weighting.
- According to the FEIR (Final Environmental Impact Report) dated December 17, 2018 "the company assumes that up to 100% of the cables may require protection and that their engineers have been able to reduce the width of the cable protection from ~30 feet to ~10 feet. This

refinement allows the extent of armoring to be reduced from 27 acres to 9 acres in state waters only.”

- The applicant has said that they have sited activity to avoid and/or minimize impacts to sensitive areas and say they will entirely avoid eelgrass beds and core habitat for the North Atlantic Right Whale.
- Techniques such as Passive Acoustic Monitoring (PAM) and aerial or vessel based visual observers will be used for development of the larger wind farm. Some PAM may be used with the crew transfer vessels.
- Vineyard Wind submitted (January 28, 2019) a 12 page agreement co-signed by Vineyard Wind, the National Wildlife Federation, the Natural Resources Defense Council and the Conservation Law Foundation outlining efforts to protect critically endangered Northern Right Whales during the pile driving phase of construction for the wind turbines. The “agreement” does not include activities before the Commission at this time, such as trenching.
- According to the MHI Vestas Offshore Wind website the MHI Vestas V1 64 9.5 MW offshore wind turbines have 80 meter long blades (262.5 feet) an approximate hub height of 105 meters (344.5 feet) and an approximate tip height of 187 meters (613.5 feet).
- Key issues include:
  - Habitat: How will the installation and existence of the undersea cable carrying 800 MW for 50 miles affect fish stocks and other migratory species that pass over the cable throughout this area? BOEM expects the proposed project activities (including construction, installation and operations) would have a minor to moderate effect on commercial fisheries and for hire recreational fishing.
  - Protection of the Northern Right Whale: The applicant has agreed to measures to safeguard the Northern Right Whale, which is threatened with extinction, during the pile driving required for the installation of the wind turbines. Cable installation protections include restricting crew transfer vessels to speeds under 10 knots from November 1 through May 14 (except Nantucket Sound) unless there is at least one observer. Are the safeguards for preventing vessel strikes with this threatened species enough?
  - Dredging: The trench will generally be less than one meter wide except where dredging is required. However, surveys of the sea bottom supplied by the applicant indicate that about half of the sea bottom through Edgartown waters is either “Hard Bottom” or “Complex Sea Floor.”
  - Cable Security: Page 11 of the DRI application document states that “periodic maintenance surveys will be conducted routinely to ensure proper burial depth” of the cables is maintained. How often and how will the applicant monitor the cable?
  - Visibility: The wind turbines will be clearly visible from the south shore of Martha’s Vineyard during the day and at night. Were there any visibility studies done when creating this as the Federal Wind Lease Area?
- The applicant has said they have had active conversations with the Wampanoag Tribe.
- The turbines at the wind farm will have lights that can be seen from the Vineyard.
- The project is being done to create renewable energy. The first phase aims to generate 800MW a year, powering 400,000 homes.

#### **4.2 Applicants’ Presentation**

Richard Andre presented the following:

- He is with Vineyard Power which is working with Vineyard Wind on this project.

- Vineyard Power was formed in 2009 as a cooperative and is proactive in the development of wind power.
- In 2009 we started engaging with the federal government. The federal limits for offshore projects starts at 3 miles and we have found it to be successful to move the wind farm from 3 miles offshore to 14 miles.
- Sites were identified through an 8+ year public process and the federal agencies have been to the area about 14 times over that period of time for review of the project.
- We surveyed 600 people on the Island and after 10 miles the visual impact was acceptable, and the moderate impact to fisheries was acceptable.
- In December the government released three additional lease areas, so now there are six lease areas. All are leased and are held by four developers, one of which is Vineyard Wind.
- The State of Massachusetts began the process in 2015 for 1,600 MW of offshore wind to be purchased by the utility companies. It was signed by the Governor in 2016
- This is clean, renewable energy and is coming in cheaper than other sources.
- There is now a bill in the legislature to increase the goal by another 1,600 MW.
- Vineyard Power signed a community benefit agreement with Vineyard Wind, and we were able to get the government to see that a partner should receive a local benefit.
- We have a commitment to the community and will provide jobs for 30-40 technicians to be based on the Vineyard. The operation and maintenance facility is planned in the Vineyard Haven Harbor. There is a cooperation with the schools for education and training of the workforce and we have an Island Resiliency Fund for critical services.
- We are concerned about climate change. 2018 was reported as the hottest year on record, and we have passed a tipping point with climate change.
- CO<sub>2</sub> emissions fluctuate and we have reached large levels and the question is what the temperature will do. The planet is warming up at a rapid pace.
- There are down sides and short term impacts to Vineyard Wind, but its benefits outweigh those for climate change.
- He is looking forward to working with the MVC to move forward and to minimize impacts to the environment.

**Rachel Pachter** presented the following:

- She manages the permitting for the project for Vineyard Wind.
- Vineyard Wind is headquartered in New Bedford, and are a community partner with Vineyard Power. We are owned by Avangrid and CIP.
- We are enhancing the grid by having power come into Cape Cod for reliability.
- We have been doing community outreach early on and working with various associations, such as the National Wildlife Federation and the Conservation Law Foundation.

**Kate McEneaney** presented the following:

- The project is for two-220 kV solid dielectric submarine cables with no fluid.
- The cable corridor is approximately 12.4-13.7 miles in Edgartown waters greater than 1 mile offshore.
- We are permitting a 2,600-3,200 foot wide corridor in which to site two cables. Temporary disturbance associated with each cable is on the order of a 3.3 foot wide swath. The additional impact of the skids is on the order of a 3 to 6 foot wide swath per skid. We will do a survey before construction to be sure that nothing has been changed.
- Cables will be used to transport electricity from the wind farm located in the Wind Energy Area (federal waters greater than 14 miles offshore of the Vineyard) to an existing upland transmission system in Barnstable.

- The cable is tri-core and there are no insulating fluids.
- Vineyard Wind will select installation tools that minimize environmental impacts and are most suitable for achieving sufficient burial depth (up to 5-8 feet).
- The most likely installation technique is simultaneous lay and bury via jet plow.
  - Installation of the cables within Edgartown waters is expected in Spring 2021.
  - Each cable will take on the order of two weeks to install.
  - A splice may be required and each cable may take approximately 6 days to splice.
- The cable laying vessel will be traveling at a low speed (less than 1 knot) to minimize the potential impact to marine mammals.
- The installation of the cable will start with a preselection survey and also a survey after installation to ensure the cable is buried and not exposed.
- Dredging will occur only when necessary (sand waves) to achieve sufficient burial depth.
- There will be designed cable protection (if needed) to minimize impacts to fishing gear and fisherman will be informed of its location.
- There is post-installation monitoring through the project's Benthic Habitat Monitoring Plan and other research to document habitat disturbance and recovery.
  - **Gail Barmakian** asked if there is any remediation.
  - **Kate McEneaney** said it is a study and in the past the sea floor has recovered quickly.
- There are no long term restrictions on navigation or fishing.
- There will be temporary safety zones in the immediate vicinity of the installation vessels in coordination with the USCG (Coast Guard).
- We will have extensive communication plans to coordinate with commercial and recreational vessels.
- The cable will be sited to avoid sensitive seafloor habitats to the greatest extent practicable (consistent with the Massachusetts Ocean Management Plan).
- There is extensive environmental review by the federal, state and local agencies.

#### **4.3 Commissioners' Questions**

**Adam Turner** asked if the cable is the same as the NStar and Comcast cables. **Rachel Pachter** said they are similar, but this is a larger cable. Every inch of the project is monitored and the cable can be shut down if needed.

**Gail Barmakian** asked if the cable were to break, would it have impacts underground. **Rachel Pachter** said it would not.

**Ernie Thomas** asked if it would be one cable or if it would be spliced. **Rachel Pachter** said two splices per cable so four splices in total are expected. **Holly Carlson Johnson** said with older cables there were problems at the splices, but we are burying the cable the entire length so it minimizes the possibility of issues later.

**Joan Malkin** asked if the cable is inherently vulnerable with regard to the splices. **Nate Mayo** said it is a very complex splice technique, so it would not be vulnerable.

**Kate McEneaney** said there are concrete mattresses used as cable protection if the cable is exposed and can't be buried. **Fred Hancock** asked how large are they? **Holly Carlson Johnson** said they are 10 feet wide. **Ben Robinson** said they are precast.

**Trip Barnes** asked how many jobs will be stationed on Martha's Vineyard. **Richard Andrade** said 40 to 50 people.

**Joan Malkin** asked what moderate disturbance to fisheries means. **Rachel Pachter** said it refers to a study that was done for the wind turbines.

**Joan Malkin** asked if the magnetic field would interfere with navigational equipment. **Holly Carlson Johnson** said there is no magnetic field association with the cable because the cables are buried.

**Richard Toole** asked how the two cable routes were picked. **Rachel Pachter** said it is one of the lessons learned with cables that were buried overseas. Surveys were done for two different years to see what the sediment was doing and how it was moving. Surveys were then done to find the best route and then the contractor goes through their engineering process. The actual water depths are viewed and the type of vessel used and you have the ability to keep engineering. This gives the best options.

**James Joyce** asked if other wind farms in the area could share the cable. **Rachel Pachter** said there is a lot of discussion around this. The capacity is just for our first project.

**Fred Hancock** asked if they would have to lay other cables to increase and also they are not selling to others. **Rachel Pachter** said that is correct.

**Jo-Ann Taylor** presented staff comments regarding the MEPA process because she is the liaison. The focus is on consistency with the wind energy plan of 10 years ago. There is a recent agreement between Vineyard Wind and conservation organizations who are dedicated to preserving the North Atlantic Right Whale. Under the agreement, Vineyard Wind will have seasonal restrictions on pile driving activities, vessel speed restrictions of 10 knots for all project associated vessels, and they will use passive acoustic monitoring to check for the presence of the right whale during construction.

**Josh Goldstein** asked if Vineyard Wind will be installing passive sonar to listen for the whales and if needed they will stop the sled. **Rachel Pachter** said visual and acoustic tools are used. For the cable installation it is not an issue since the vessels are going less than 1 knot. The issues arise when vessels are traveling 12-13 knots. NOAA uses 10 knots, so we are following that guideline. Vessels over 10 knots have to use passive acoustic systems.

**Jo-Ann Taylor** said there are service vessels that will be going back and forth, and that is where the agreement will come into play.

#### **4.4 Public Testimony**

**Richard Toole**, Public Hearing Officer, reminded the public that the hearing is about the cable that will connect to the wind farm and not about the wind farm. Testimony should be related to the cables.

**Peter Cabana** brought a sample of the actual cable for visual representation. Four of these cables are already installed that delivers electricity to the island.

**Bill Strain** asked if the cable is manufactured in the US, and how do you get all the power through the cable and is it maxed out so it cannot be used for anything else. **Rachel Pachter** said the cable will probably not be manufactured in the US. Each cable carries 400 MW, and no it cannot be used for anything else.

**Dan Seidman** said he sits on Vineyard Wind and this is a proven technology and they are not trying anything experimental. This project is a no brainer. We are not reinventing the wheel. With regards to the splice, you would not know it is there, it will be for the entire length. It is very proactive as to how the right whale is being handled. This is a renewable source. It will create electricity and we have been at this for nine years. Vineyard Wind did their due diligence. We can look at Europe and they are very successful with this. The dual cable aspect allows if there is a situation with one cable to continue, and there will be no stray current.

**Jeffrey Commoner** is on the board of Vineyard Wind. There is a very low risk or downside or problem from the cable, but there is almost a certainty of a risk with climate change. On the Island we should have a can-do attitude to help out. If this one is successful it will happen more often in the US. It will be



a benefit and we should be the leader. If we have to think of the future, it is low risk. The jobs created will be good paying jobs and a tremendous benefit to the Island.

**Helen Parker** is a licensed clinical psychologist, she has worked with big wind victims from Australia to Denmark, and she would like to give a 7 minute presentation.

- **Richard Toole**, Public Hearing Officer, said something of that length should be submitted in writing to the MVC in advance, as that is lengthy for public testimony and asked that she keep the presentation brief.

The cable is hooked up to an 800 turbine wind farm and she is sharing the unknowns of what she has learned about the industry. Infrasound is real and its impact on human health is real, known and has been hidden for 30 years. Our military investigated its use and we rejected it.

- **Richard Toole**, Public Hearing Officer, said the MVC does not have jurisdiction over the wind farm, only the cable, and testimony should be directed to the cable only.

She said is talking about what the cable is necessary for, to show the direct correlation between the wind farm and the installation of the cable as it relates to infrasound.

- **Richard Toole**, Public Hearing Officer, asked Helen Parker to keep her testimony to three minutes.

Infrasound was measured in the Red Mesa wind farm in New Mexico and if it didn't matter it wouldn't have been measured. Infrasound was acknowledged by the industry in 2011. The Vineyard Wind farm proposal is 25 times larger than the world's largest offshore wind farm.

- **Richard Toole**, Public Hearing Officer, reminded Helen Parker that the hearing is about the cable and not the wind farm.

She asked her representative Commissioners to help her to be permitted to continue with her presentation.

- **Doug Sederholm** asked that she submit her testimony in writing for the record and it would be made available to the public on the MVC website. He is trying to honor the process so she can get this information out to the public. He said she was discussing an issue that is not part of the hearing as the hearing is about laying the cable.
- **Joan Malkin** asked if the cables contribute to the infrastructure.
- **Helen Parker** said it does and it creates a problem.
- **Richard Toole**, Public Hearing Officer, said the only thing under the MVC purview is the cable running under Edgartown.

**Ron Dagostino** quoted what the BOEM said specifically about the cable, which said that the area impacts would be minor. BOEM does not expect impacts to the population and the fisheries species. The type of cable being used limits magnetic impact. Based on economic impacts to the Island and to combat climate change, he supports this project.

**Richard Toole**, Public Hearing Officer, continued the Public Hearing until March 21, 2019.

**Doug Sederholm**, Chairman, recessed the meeting at 8:45 p.m. and reconvened at 8:50 p.m.

## **5. MVCS CAMPUS PLAN-OAK BLUFFS DRI 223-M3 CONTINUED PUBLIC HEARING**

*James Vercruysse recused himself as he is an employee of South Mountain.*

Eligible Commissioners: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, E. Thomas, R. Toole.

For the Applicant: John Abrams, Ryan Bushey

**Richard Toole**, Public Hearing Officer, opened the Continued Public Hearing.

## **5.1 Staff Report**

**Paul Foley** presented the following:

- Bill Veno and Paul Foley met with John Abrams, Ryan Bushey, the YMCA, MVCS, Island Elderly Housing and the VTA. At that meeting it was decided to create a Road Association for Village Road.
- The following improvements were agreed to:
  - Improve signage with stop signs at all exits.
  - Improve sight lines with better alignment and vegetation maintenance.
  - Improve pavement condition, especially at intersections.
  - Posting 20 mph speed limit signs.
  - Reducing the number of curb cuts down to the original number by eliminating the cut deemed most dangerous at the bend in Village Road (labeled # 3 on Site Sketch S01).
  - Changing the southernmost two-way curb cut (labeled # 1 on Site Sketch S01) to one way out.
  - Delineate roadway markings with a center line.
  - Ensure elimination of ad hoc parking along Village Road.
  - Improve maintenance and enforcement of Village Road.
  - Provide sufficient bike parking on the campus.
  - Plan for future 2 foot widening of Village Road, one foot on each side, so if widening is deemed necessary in the future by regulatory authorities, the campus plan is not compromised. (Note the measured width of the road varies between 20 feet and 23 feet, but up to 5 feet of it is obscured in places by pine needles and soil. MVCS hopes that repairs, a speed limit, a center line and a good cleaning will obviate widening).
- The applicant has offered to adopt most of the suggested traffic mitigation measures and to close egress #3.
- The applicant has offered to adopt the suggested mitigation measures to make their project safer, and make certain changes to Village Road, as well as join a Road Association. However, IEH still believes this project needs a full traffic study by an independent traffic engineer.
- Possible measures to reduce nitrogen load include reducing the amount of impervious surface by 4%.

**Gail Barmakian** asked if all the road work would be done privately, and not burden the town facilities and resources. **Ryan Bushey** said yes, paid for by all three organizations.

## **5.2 Applicants' Presentation**

**Ryan Bushey** presented the following:

- Existing conditions were shown versus the original master plan.
  - Changes include those agreed to, as noted by Paul Foley.
  - Crosswalks will be modified.
  - Pavement will be added to the roadway.
  - Egress at point #1 will be one-way.
  - Village Road widened.
- The revised master plan will eliminate curb cut #3, which is now a vegetative area, and curb cut #5 is now one-way out.
- The paving and circulation plan shows the location of the bike shelters.
- The landscape plan indicates the shading at the parking area and a 20 year grown out canopy. There are 27 trees adjacent to 66 parking spots and 14 new trees to 34 parking spots.

- An alternate main entry location directly across from the YMCA was discarded as it is not intuitive to first time visitors and it involves moving a primary transformer and an oak tree.
- With one curb cut for ECC, it loses turning ratio for fire trucks and loses 8 parking spots, and it was felt that the program needs parking close by.
- The proposal was 1% over the MVC threshold for wastewater and by reconfiguring the pavement it allowed the stormwater load to be under the threshold.
- There were two productive meetings with IEH:
  - Demolition and construction impacts are real for any construction project, and the applicants will do their best to minimize these. We will work to avoid the need for the VTA and vehicles to pass the concrete trucks and MVCS will pay for any road repairs that are needed.
  - If expansion of the road is needed in the future, there is additional available land to the east.
  - MVCS did not agree to a traffic study, but did use traffic counters. A traffic study costs \$100,000 and takes over a year. The future plans for IEH and the YMCA are variable at this time, so a traffic study would be a waste of time.
  - Applicants agreed that the road conditions need to be safe and agreed to the 13 changes outlined by Paul Foley.
  - The project increase is 11 visitors and 7 staff members.

### **5.3 Commissioners' Questions**

**Ben Robinson** asked what the existing width of Village Road is and if they are widening and paving all of it. **Ryan Bushey** said it is 20-23 feet wide. **John Abrams** said it can be widened by cleaning it up. **Ryan Bushey** said the road width includes the buried width.

**Joan Malkin** said there will be a number of construction vehicles and parking is problematic now. With an increase of vehicle parking during construction what happens? **John Abrams** said it will be rough. There will need to be some parking off-site and we will work with them to figure that out. There will not be parking along the road.

**Joan Malkin** suggested to perhaps have some type of barrier to prevent parking along the road during and after construction. **John Abrams** said during construction snow fencing can be used and parking will be limited. Construction fencing will be in place to keep vehicles away from those areas and it will be controlled and managed. After construction there will be more parking and it will make a huge difference. If other mitigation is needed, it can be reviewed when it comes up.

**Doug Sederholm** asked if the applicant was proposing to monitor the parking for one year and report back to the LUPC. **John Abrams** said they are.

**Christina Brown** asked if the construction trucks and equipment be parking along Village Road during construction. **John Abrams** said Village Road will be fenced and temporary parking can be made around the building.

**Gail Barmakian** said she would like to see the letter from Schofield, Barbini and Hoehn regarding the nitrogen, as it is important to Oak Bluffs. **Paul Foley** said the MVC has received it.

**Paul Foley** suggested that it would be nice to monitor the traffic with counters in the future and perhaps the MVC could offer to help to monitor that situation for any increase in future traffic.

**Doug Sederholm** asked if there were specific agreements with the neighbors on how to monitor the maintenance of the road. **John Abrams** said the neighbors have agreed to a road association and great

strides were made at the meeting. There is an agreement to share the road maintenance responsibilities.

**Christina Brown** asked how long it would take to form a formal road association. **John Abrams** said they have had a meeting and there is a registered share use agreement in place. They did not know that existed. It is up to them to take care of their road.

**Leon Brathwaite** asked how 25 mph was decided as the speed limit. **Ryan Bushey** said it was the recommendation from the MVC staff. **Fred Hancock** said it is a private road and it can be changed. **Adam Turner** said it can be changed to 20 mph to be consistent with the school.

**John Abrams** said the road has not been maintained for decades. Once maintained and the improvements are made, the only thing that will need to be done is snow plowing.

#### **5.4 Public Testimony**

**June Manning** asked if the traffic counters would be at the beginning of MVCS and one close to Woodside to see the difference in use.

- **Mike Mauro** said yes, traffic counters would be along Village Road. One at the first entrance, one past the YMCA, and one close to IEH so all of the traffic traveling through the corridor would be captured.

**Greg Monka** owns Island Elderly Housing and we are looking for a traffic study for the current use and the future use. We have 90 residents and that is why we are pursuing the traffic study.

- **John Abrams** asked if there was any consideration for road maintenance during the expansion in 2005.

**Greg Monka** said the expansion was done in 2005 and 2006, and in 2008 IEH resurfaced the road.

**Dorothy Young** is from IEH. IEH, the YMCA and MVCS did agree at the meeting for a traffic study. We reviewed short term and long term concerns. We did look at the traffic study as a short term concern and perhaps the MVC could help with that as well as an independent study. We would like that to happen before the start of the project. We almost had another issue recently with traffic. We have worked on the road and did work on the pot holes. It is very important to look at the road.

- **James Joyce** asked how far along are they with the road association.

**Dorothy Young** said they had one meeting, we just started. The shared use agreement is old and the YMCA is not part of that. We have paid for the expense of the road. We feel this is very important and we need to see how much the road needs to be widened.

**Peter Vallencourt** is from IEH and said a traffic study is needed. The curve is too narrow for the current traffic and especially for the buses. How do we allocate what is needed and how do we allocate expenses? We need numbers to allocate the money. White Lynch provided an estimate to resurface the road and it was \$150,000. We are working to get the information as quickly as possible.

**Spencer Hilton** is on the board and also a resident of IEH. The traffic study is really needed. So much traffic is coming in and out from the YMCA and MVCS. There are over 50 cars at MVCS. If the road is widened the transformers need to be moved, and the new building is almost in the road. Widening is not an option that is easily done. His opinion is to separate the MVCS and IEH entrances, so they each have their own. When we spoke with MVCS about parking on the road they agreed with us, but nothing was done to enforce that and it went right back to cars parking there. It does not seem that they want to work with us. We need the road to be open for safety and emergency vehicles. In building one there are 40 people and it is hard for emergency vehicles to get in.

**Mike Mauro** said the MVC did not request the traffic study for the pre-application. Intersections were not impacted by the project and the project did not generate heavy traffic problems or significant traffic.

The parking lot adjustments have been made. Widening the access road beyond the existing boundaries would affect the character of the road. The parking within the MVCS campus will be improved. He suggested cleaning the edges of the roadway, which will widen it.

**Bill Veno** showed the traffic flow on the plan. Turning movements are not good at certain areas, which is why the MVC is trying to consolidate the entrances. The idea of replacing an entrance was to provide an offset. He showed various options/suggestions on the plan. The bus stop should be interior for MVCS, the proposed bus stop would interfere with the crosswalk and poses safety issues. Because this is a private road, it is not 40 feet wide. It is 20-23 feet wide. The MVC cannot accept the proposed plan due to the layout and the entering and exiting. There are two intersections within 40-50 feet and that needs to be avoided.

- **Richard Toole** said it sounds like the MVC staff still needs to review the traffic.
- **Fred Hancock** said it could come back to LUPC.
- **Doug Sederholm** said it is important enough that it should be discussed by the full Commission.

**Doug Sederholm** said in light of what we just heard he does not believe that the public hearing should be closed. It sounds like additional discussions regarding the traffic issues need to be made with staff, the applicant and perhaps IEH. He is concerned about what Bill Veno has just raised.

**Leon Brathwaite** asked with respect to ambulances and fire trucks, have the applicants consulted with public safety. **Ryan Bushey** said they have not yet, but it will be addressed.

**James Joyce** asked if there was ever a possibility of another curb cut off the Edgartown-Vineyard Haven Road. **Fred Hancock** said it is the Island Road District. **Doug Sederholm** said that would be a serious impact for the Edgartown-Vineyard Haven Road.

**Richard Toole**, Public Hearing Officer, continued the Public Hearing to March 7, 2019.


**James Vercruysse** rejoined the meeting.

The meeting went to Executive Session at 9:45 p.m.

#### DOCUMENTS REFERRED TO DURING THE MEETING

- Martha's Vineyard Commission DRI #688 Vineyard Wind Transmission Cable MVC Staff Report 2019-02-20
- Vineyard Wind – NGO Agreement January 22, 2019
- Vineyard Wind Correspondence received by the Martha's Vineyard Commission
- Vineyard Wind Connector Project Summary (Edgartown Waters)
- Vineyard Wind Connector NOAA Chart, Complex Bottom and Hard Bottom Areas Delineated from 2018 Marine Survey within Installation Corridor and Scaled Plan View and Cross-Section of Cable Corridor
- Martha's Vineyard Commission DRI # 223-M3 M.V.C.S. New Campus Master Plan MVC Staff Report - February 21, 2019
- South Mountain Company Response to 1/24/19 MVC Recommendations for Martha's Vineyard Community Services, Dated 2/15/19
- Letter from Island Elderly Housing, MVCS expansion, Dated February 19, 2019
- DRI 165-M3 Clarion Vestibule and Parking Narrative
- Martha's Vineyard Transit Authority – DRI Modification DRI 524-M4 to Land Use Planning, Dated November 20, 2017
- VTA Electrical Site Plan
- Citizens Planner Training Collaborative 2019 Annual Conference

- Martha's Vineyard Commission, MVC Policy for DRI Review, Affordable Housing Policy, Draft 2/13/19 v.5

  
Chairman

4-4-19  
Date

  
Clerk-Treasurer

4 APR 2019  
Date